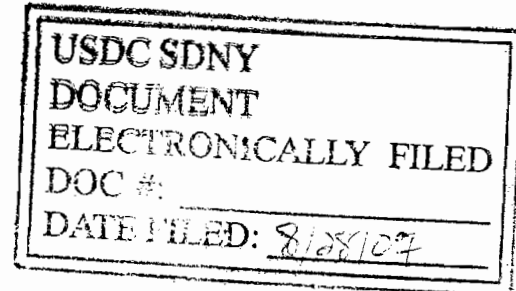




MEMO ENDORSED



MICHAEL A. CARDOZO
Corporation Counsel

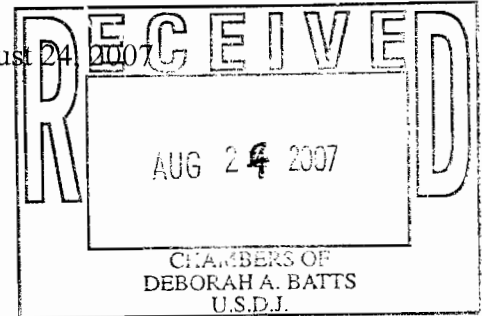
THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

SARAH B. EVANS
Assistant Corporation Counsel
Tel.: (212) 788-1041
Fax: (212) 788-9776

VIA HAND DELIVERY

Honorable Deborah A. Batts
United States District Judge
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street, Room 2510
New York, New York 10007

August 24, 2007



MEMO ENDORSED

Re: Mark Labrew v. The City of New York, et al., 07 CV 4641 (DAB)

Your Honor:

I am an Assistant Corporation Counsel in the Special Federal Litigation Division of the New York City Law Department handling the defense of the above-referenced matter on behalf of defendant City of New York. I write further to my letter dated June 26, 2007 in which defendants requested until August 27, 2007 to conduct an investigation into plaintiff's allegations, investigate service on the individually named defendants, resolve representation issues pursuant to General Municipal Law Section 50-k, and if appropriate, to serve and file an answer or otherwise respond to the complaint.

I recently received information that Sergeant Sbarra, Detective Delumen, and Police Officers Ulloa, Petitto, Larsen, Khan, Kealy, and Galati have been served with the summons and complaint in this action. As I explained in my June 26, 2007 letter, pursuant to General Municipal Law Section 50-k, this office must determine based on a review of the case whether we may represent each individual named in this action. The individual must then decide whether he wishes to be represented by this office. See Mercurio v. The City of New York, et al., 758 F.2d 862, 864-65 (2d Cir. 1985) (quoting Williams v. City of New York, et al., 64 N.Y.2d 800, 486 N.Y.S.2d 918 (1985) (decision whether to represent individual defendants is made by the Corporation Counsel as set forth in state law). If the officer wishes to be represented by the Corporation Counsel, we must obtain the individual's written authorization.

Due to scheduling conflicts and despite my best efforts, I have been unable to resolve representation issues as to all of these individuals. However, I am scheduled to meet

MEMO ENDORSED

with these individuals over the course of the next week. Accordingly, I write again with the consent of plaintiff's counsel, Carmen Giordano, Esq., to respectfully request a further enlargement of time of one week, until September 4, 2007, to resolve representation issues and, if appropriate, to answer or otherwise respond to the complaint on behalf of these individuals. This is the second request for an extension of time.

In view of the foregoing, it is respectfully requested that the Court grant the within request. Thank you for your consideration.

Respectfully submitted,

Sarah B. Evans

Sarah B. Evans (SE 5971)
Assistant Corporation Counsel
Special Federal Litigation Division

cc: Carmen S. Giordano, Esq. (By fax)
Attorney for Plaintiff
Law Office of Carmen S. Giordano
225 Broadway, 40th Floor
New York, New York 10007
Fax: 212-406-9410

SO ORDERED

Deborah A. Batts

DEBORAH A. BATTS
UNITED STATES DISTRICT JUDGE

August 27, 2007

MEMO ENDORSED

MEMO ENDORSED

MEMO ENDORSED

granted
(DAB)